

AMENDMENT

In the Claims

Please cancel claim 10 and amend the claims as follows:

1. (Amended) A method of inhibiting growth of a tumor cell expressing wild-type p53 in a human subject with a solid tumor comprising the steps of:
 - (a) providing a viral expression construct comprising a promoter functional in eukaryotic cells and a polynucleotide encoding a functional p53 polypeptide, wherein said polynucleotide is positioned sense to and under the control of said promoter; and
 - (b) parenterally administering said viral expression construct to said subject, the administration resulting in expression of said functional p53 polypeptide in cells of said tumor and inhibition of tumor cell growth.
2. (Amended) The method of claim 1 or 146, wherein said tumor is selected from the group consisting of a carcinoma, a glioma, a sarcoma, and a melanoma.
3. (Amended) The method of claim 1 or 146, wherein said tumor cell is malignant.
4. (Amended) The method of claim 1 or 146, wherein said tumor cell is benign.
5. (Amended) The method of claim 1 or 146, wherein said tumor is a tumor of the lung, skin, prostate, liver, testes, bone, brain, colon, pancreas, head and neck, stomach, ovary, breast or bladder.

6. (Amended) The method of claim 1 or 146, wherein said viral expression construct is selected from the group consisting of a retroviral vector, an adenoviral vector and an adeno-associated viral vector.
16. (Amended) The method of claim 1 or 146, wherein the expression construct is injected into a natural or artificial body cavity.
18. (Amended) The method of claim 16, wherein said body cavity is an artificial body cavity resulting from tumor excision.
19. (Amended) The method of claim 1 or 146, wherein the p53-encoding polynucleotide is tagged so that expression of p53 from said expression vector can be detected.
26. (Amended) The method of claim 1 or 146, wherein said expression construct is administered to said tumor at least twice.
28. (Amended) The method of claim 1 or 146, further comprising contacting said tumor with a DNA damaging agent.
36. (Amended) The method of claim 1 or 146, wherein said tumor is located into a body cavity selected from the group consisting of the mouth, pharynx, esophagus, larynx, trachea, pleural cavity, peritoneal cavity, bladder interior and colon lumen.
37. (Amended) The method of claim 11, wherein said expression construct is administered to said tumor at least six times within a two week treatment regimen.

Please add the following new claims, claims 146 - 150:

146. (New) A method of inducing apoptosis in a tumor cell expressing wild-type p53 in a human subject with a solid tumor comprising the steps of:

- (a) providing a viral expression construct comprising a promoter functional in eukaryotic cells and a polynucleotide encoding a functional p53 polypeptide, wherein said polynucleotide is positioned sense to and under the control of said promoter; and
- (b) parenterally administering said viral expression construct to said subject, the administration resulting in expression of said functional p53 polypeptide in cells of said tumor and inhibition of tumor cell growth.
147. (New) The method of claim 1 or 146, wherein the expression construct is administered intravenously.
148. (New) The method of claim 1 or 146, wherein the expression construct is administered by direct injection into the tumor.
149. (New) The method of claim 1 or 146, wherein the expression construct is administered intraperitoneally.
150. (New) The method of claim 1 or 146, wherein the expression construct is administered orthotopically.